

REMARKS

The specification has been amended to resolve an issue raised by the Examiner. Claim 1 has been amended to incorporate the recitations of claim 2, and claims 2, 7, and 8 have been canceled accordingly. Claim 1 has also been amended so that the melting point is within the range of 200-240°C, based on paragraph [0034] of the originally filed specification.

Entry of the above amendment is respectfully requested.

Objection to the Specification

On page 2 of the Office Action, the Examiner has objected to the disclosure because of the original specification provides an explicit definition for "essentially consisting of" (paragraph 0010) that is directly contradictory to the established definition for "consisting essentially of" (MPEP § 2111.3). In this regard, the Examiner assumes that the doubly negative statement at the end of the paragraph was a typographical error and the phrase is being interpreted by its established meaning as outlined in the MPEP.

In response, Applicants have amended the specification as suggested by the Examiner. Accordingly, Applicants submit that the objection has been overcome, and withdrawal of the objection is respectfully requested.

Anticipation Rejection

On page 2 of the Office Action, claims 1 and 3-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Calundann (US Pat. 4,219,461).

In response, and to expedite allowance, Applicants have amended claim 1 to incorporate the recitations of claim 2, which was not included in this rejection.

Accordingly, Applicants submit that the anticipation rejection has been overcome, and withdrawal of this rejection is respectfully requested.

Obviousness Rejection

On page 2 of the Office Action, the present invention is rejected under 35 U.S.C. 103(a) as being unpatentable over Calundann (US Pat. 4,219,461).

In response, Applicants submit that Calundann teaches that his crystalline polymer exhibits anisotropic melt phase at a temperature below approximately 320°C, preferably below approximately 300°C, for example, at approximately 270-280°C (see col. 3, lines 25-31). It also teaches that liquid-crystalline polyesters commonly exhibit a melting point of at least 250°C and preferably of at least 260°C as determined by DSC (see col. 3, lines 37-40). Although the temperature at which the polymer exhibits atypical anisotropic melt phase is not the same as the melting point of the polymer, Calundann suggests that the different scanning calorimeter melting temperature of the polyester is in the range of 270-280°C (see Claim 32). The polyester obtained in the working example exhibited a melt endotherm at about 273°C (column 11, lines 44-48). Calundann does not even suggest to provide liquid-crystalline polyester whose melting point determined by DSC is below 250°C.

Accordingly, Applicants submit that the amended claims, which recite a low melting point, are not obvious over the prior art, and withdrawal of this rejection is respectfully requested.

Provisional Obviousness-Type Double Patenting Rejections

On page 5 of the Office Action, claims 1-4, 7, and 8 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 7 of

copending Application No. 11/588,293. Also, on page 5 of the Office Action, claims 5 and 6 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 7 of copending Application No. 11/588,293 as applied to claim 1 above, and further in view of Calundann (US Pat. 4,219,461).

Since these rejections are provisional, Applicants defer responding until a future point in time.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: September 4, 2008



Bruce E. Kramer
Registration No. 33,725